

From: "g" <[REDACTED]>
To: "jeffrey E." <jeevacation@gmail.com>
Subject: RE: Privileged and Confidential
Date: Fri, 31 Aug 2018 11:14:31 +0000

Yes overtime, and I got the three heart attacks, 5 stents and the quadruple bypass to prove it!



From: jeffrey E. <jeevacation@gmail.com>
Sent: Friday, August 31, 2018 7:11 AM
To: g <[REDACTED]>
Subject: Re: Privileged and Confidential

5 bedrooms AHHH the results of overtime:)

On Fri, Aug 31, 2018 at 7:00 AM, g <[REDACTED]> wrote:

The house is here in Port St. Lucie. It's a 5 bedroom, 4.5 bath, 3600 sq. ft. home. And yes, I not only get my home office, but it has it's own bath. Hopefully I'll get the time (eventually) to work during my days off on what makes me happiest (writing, inventing, etc.), but at least, I'll have a place to hide from the wife, mother-in-law and brother-in-law.

Thanks for asking.

Gerry

From: jeffrey E. <jeevacation@gmail.com>
Sent: Friday, August 31, 2018 6:27 AM
To: g <[REDACTED]>
Subject: Re: Privileged and Confidential

congragulaotions. where is the house. ? I hope it has an office . so you can think in peace

On Fri, Aug 31, 2018 at 5:48 AM, g <[REDACTED]> wrote:

Sorry for the delayed response, I closed on a new house on Tuesday and I have spent just about every waking hour since then on updating the place (with no end in sight).

I will look into the issue and get you an official answer later today.

Enjoy your day.

Gerry

From: jeffrey E. <jeevacation@gmail.com>
Sent: Thursday, August 30, 2018 5:52 PM
To: Gerry Martinez <[REDACTED]>
Subject: Fwd: Privileged and Confidential

----- Forwarded message -----

From: **Darren Indyke** <[REDACTED]>

Date: Thu, Aug 30, 2018 at 5:50 PM
Subject: Privileged and Confidential
To: "jeevacation@gmail.com" <jeevacation@gmail.com>
Cc: Darren Indyke <[REDACTED]>

Jeffrey,

I think there is enough in the statute and the regs to make it clear that the currency reporting requirements don't apply to you when traveling from the USVI to US or vice versa because both places are within the US for purposes of the reporting requirements, and the requirements only apply when you transport currency from inside the US to a place outside the US or vice versa.

As you know, 31 USC 5316 requires reports when a person transports monetary instruments of more than \$10K at one time from a place in the United States to a through a place outside of the United States or to a place in the United States from or through a place outside the United States. 31 USC 5312(a)(6) defines United States to include the Virgin Islands when the Secretary prescribes it by regulation. Moving to the regulations, 31 CFR 1010.340 provides that each person who physically transports currency or other monetary instruments in the aggregate exceeding \$10K at one time from the United States to any place outside the United States or into the United States from any place outside the United States is required to make a report of the same. 31 CFR 1010.100(hhh) defines the United States to mean "The States of the United States, the District of Columbia, the Indian lands (as that term is defined in the Indian Gaming Regulatory Act), **and the Territories and Insular Possessions of the United States.**" Accordingly, unless I am missing something and I will continue to look, transporting monetary instruments from Florida to the USVI or from the USVI to Florida is not transporting monetary instruments from a place inside the United States to or through a place outside the United States or to a place in the United States from or through a place outside the the United States as provided in Section 5316 and it is not transporting currency or other monetary instruments in an aggregate amount exceeding \$10,000 at one time from the United States to any place outside the United States, or into the United States from any place outside the United States as provided in 31 CFR 1010.340. The transportation is from one place in the United States to another place in the United States, and there is no requirement for a report when transporting between places in the United States. Relevant sections of the Statutes and the Regulations are provided below.

31 USCA § 5316. Reports on exporting and importing monetary instruments

(a) Except as provided in subsection (c) of this section, a person or an agent or bailee of the person shall file a report under subsection (b) of this section when the person, agent, or bailee knowingly--

(1) transports, is about to transport, or has transported, monetary instruments of more than \$10,000 at one time--

(A) from a place in the United States to or through a place outside the United States; or

(B) to a place in the United States from or through a place outside the United States; or

(a) In this subchapter--

(6) "United States" means the States of the United States, the District of Columbia, and, when the Secretary prescribes by regulation, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, the Trust Territory of the Pacific Islands, a territory or possession of the United States, or a military or diplomatic establishment.

§1010.340 Reports of transportation of currency or monetary instruments.

(a) Each person who physically transports, mails, or ships, or causes to be physically transported, mailed, or shipped, or attempts to physically transport, mail or ship, or attempts to cause to be physically transported, mailed or shipped, currency or other monetary instruments in an aggregate amount exceeding \$10,000 at one time from the United States to any place outside the United States, or into the United States from any place outside the United States, shall make a report thereof. A person is deemed to have caused such transportation, mailing or shipping when he aids, abets, counsels, commands, procures, or requests it to be done by a financial institution or any other person.

§1010.100 General definitions.

When used in this chapter and in forms prescribed under this chapter, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this subpart. Terms applicable to a particular type of financial institution or specific part or subpart of this chapter are located in that part or subpart. Terms may have different meanings in different parts or subparts.

* * *

(hhh) *United States.* The States of the United States, the District of Columbia, the Indian lands (as that term is defined in the Indian Gaming Regulatory Act), and the Territories and Insular Possessions of the United States.

DARREN K. INDYKE
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JEE

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